

PATENT Docket No.  
Serial No.

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Docket No.

HUBR-1279-US

# Declaration and Power of Attorney for Patent Application English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

THERMOLABILE LIPOSOME WITH A CONTROLLED RELEASE TEMPERATURE

the specification of which (check one)

☐ Is attached hereto.

☒ was filed as \_\_\_\_\_ U. S. Serial No: 10/527,222

And was amended on March 10, 2005 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign applications(s) for patent or inventor's certificate, or Section 385(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

			Priority Not Claimed
<u>102 42 367.9</u> (Number)	<u>Germany</u> (Country)	<u>September 12, 2002</u> (Filing Date)	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	<input type="checkbox"/>
_____	_____	_____	
(Number)	(Country)	(Filing Date)	

PTO SB-025587889.1

1 (6-98) Patent and Trademark Office-U.S. DEPARTMENT OF COMMERCE

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/EP2003/010163 _____ (Application Serial No.)	September 12, 2003 _____ (Filing Date)	Pending _____ (Status) (patented, pending, abandoned)
_____	_____	_____
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Peter F. Falfo, Reg. No. 20,297, Norman D. Hanson, Reg. No. 30,946, John A. Bauer, Reg. No. 32,654, James R. Crawford, Reg. No. 38,165, Andrew Im, Reg. No. 40,657 and Bruce K. Koch, Reg. No. 41,905 my attorneys with full power of substitution and revocation.

Send Correspondence to: James R. Crawford

CUSTOMER NO. 24972  
Fulbright & Jaworski L.L.P.  
666 Fifth Avenue  
New York, New York 10103

Customer No. 24972

Direct Telephone Calls James R. Crawford, 212-318-3148  
associated with customer  
No. 24972 to

Full name of first inventor, if any Hansjörg Eibl	
First inventor's signature X <i>Hansjörg Eibl</i>	Date X 19.12.2005
Resident Heinrich-Deppe-Ring 22, 37120 Bovenden, Germany	
Citizenship German	
Post Office Address SAME AS ABOVE	
Full name of second inventor, if any Lars, H. LINDNER	
Second inventor's signature X <i>Lars Lindner</i>	Date X 19.12.2005
Resident Petersgönnenweg 62, 81377 München, Germany	
Citizenship German	
Post Office Address SAME AS ABOVE	